

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

KEVIN JONES : CIVIL ACTION
: :
: :
v. : :
: :
DAVID DIGUGLIELMO, et al. : NO. 06-137

ORDER

AND NOW, this 19th day of June, 2009, upon consideration of the pleadings and the record, and after review of the Report and Recommendation of M. Faith Angell, United States Magistrate Judge, I hereby ORDER that:

1. The Report and Recommendation is APPROVED AND ADOPTED.
2. The Petition for Writ of Habeus Corpus is DENIED AND DISMISSED WITHOUT AN EVIDENTIARY HEARING.

There is no probable cause to issue a certificate of appealability.

BY THE COURT:

/s/ J. William Ditter, Jr.
J. WILLIAM DITTER, JR., S.J.